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Hope and Betrayal on the Platinum Belt:

Responsibility, Violence and Corporate Power in South Africa

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This article considers the resurgence in state-backed violence against mineworkers in South Africa, which reached its apogee at the Marikana platinum mines in August 2012, in relation to the rise of Corporate Social Responsibility (CSR) within the post-revolutionary political economy. I explore a paradox of CSR, which has emerged more strongly than ever in the wake of Marikana, whereby mining companies have been able to use CSR to dispense with (rather than fulfil) their social obligations and to externalise (rather than address) their social impact. Operating within an old-school logic of paternalism and benevolence, the practice of CSR is at odds with the discourse of empowerment, upward mobility and worker autonomy that modern mining companies claim to foster. Marikana shows us how CSR paradoxically serves as a resource that empowers companies (in response to their critics and claimants) rather than its supposed beneficiaries.

Introduction

The killing of 34 mineworkers on August 16th 2012 at South Africa's Marikana platinum mine came to symbolise the struggle for recognition by the country's disenfranchised miners. Over the past century mining has often been seen as a world apart from the rest of South African economy and society, a 'labour aristocracy' with the highest levels of union representation by the country's most powerful union; a dangerous job, yet a coveted one in the context of 35-40% unemployment. What is more surprising then, is that Marikana came to embody a broader struggle by underpaid and marginalised workers in other sectors, by subcontractors at the mercy of flexible contracts and ruthless labour brokers, by the jobless inhabitants of squatter camps who live on the fringes of mine territories, by those who have

lived in a state of chronic impermanence which has come to *permanently* define the new South Africa for many millions of its citizens. The events at Marikana were seen by many commentators as the inevitable culmination of neoliberal economics and divisive politics, as the battle for political liberation gave way to the unfulfilled promise of economic emancipation. Such analyses had a pre-determinism about them. But this teleological coherence is misleading. Looking back over the past decade, there were points of much more widespread hope or expectation when the bold promise of partnership between the mining industry, government and civil society in a mutual project of patriotic capitalism and corporate social responsibility (CSR) seemed to portend something very different than the extreme repressive violence witnessed at Marikana. At the heart of this vision of development sat South Africa's rehabilitated corporate citizens as midwives of the new South Africa and self-styled architects of economic empowerment.

This article considers the resurgence in state-backed violence against mineworkers, which reached its apogee at Marikana, in relation to the rise of CSR within the post-revolutionary political economy. What is so striking, and what this paper explores, is precisely the capacity of transnational corporations to deploy the affective relations of CSR, alongside everyday and exceptional forms of violence. The contribution is based on ethnographic research conducted over the past decade, tracking processes of CSR in the mining industry from the London and Johannesburg headquarters of mining multinationals to the mineshafts of South Africa's Platinum Belt. I argue that Marikana highlights a paradox in the workings of CSR whereby it has become a vehicle through which mining companies dispense with (rather than fulfil) their social obligations and externalise (rather than address) their social impact. As this article explores, Marikana shows us how CSR can serve paradoxically as a resource which empowers companies (in response to their critics and claimants) rather than its supposed beneficiaries.

Marikana was not, as advocates of CSR would claim, an aberration in a new ethic of corporate citizenship within the mining industry. Nor was it, as critics would suggest, evidence of a simple gap between the rhetoric of corporate responsibility and reality of corporate hypocrisy¹ - a corporate smokescreen now blown away to reveal a bloody continuity with apartheid's labour repressive economy.² Rather, I suggest, the violence witnessed at Marikana is inextricably bound up with the moral economy of CSR; they are mutually sustaining and constitutive rather than antithetical. Certainly Marikana shows decisively that where CSR has yielded benefits for workers and peri-mining communities in the platinum regions, they have been limited, uneven and short term. Yet its impact, I suggest, has been far-reaching: not in terms of its intended or stated beneficiaries, but in the ways it has enabled mining companies in South Africa to address expectations of social responsibility, while simultaneously externalising them. It has enabled companies to accrue moral authority, while displacing claims of entitlement and their attendant costs. Thus, this article considers not what CSR did (or fails to do) for its supposed beneficiaries, but rather what it has done for its purveyors. I ask not how CSR has helped workers, but how it has helped corporations confront specific challenges.

In taking Marikana as a lens through which to explore this interplay of moral economy and violence, I focus then on the question of agency – not in this case the agency of mineworkers to resist the repressive mechanisms of their employers, but the agency of the powerful, and the specific resources and techniques corporations deploy in this process of

¹ See for example D. Fig, 'Manufacturing Amnesia: Corporate Social Responsibility in South Africa', *International Affairs* 81: 3 (2005), pp. 599-617; S. Marks, 'The Silent Scourge? Silicosis, Respiratory Disease and Gold Mining in South Africa', *Journal of Ethnic and Migration Studies* 32: 4 (2006), pp. 569-589.

² J. Sharp, 'Corporate Social Responsibility and Development: An Anthropological Perspective', *Development Southern Africa* 23: 2 (2006), pp. 213-222.

governance. In particular, it directs us to consider *how*, in a self-proclaimed era of ethical capitalism, the world's biggest mining companies attempt (not always successfully) to control and discipline their workforces and the peri-mining communities that surround their operations. By focusing on the apparatus of corporate power, rather than its targets, I hope to build on a series of powerful interventions that have sought to make sense of Marikana and its broader significance in relation to the historical struggles of South African workers. This emergent body of work has explored the evolving nature and status of work at the mines;³ the shifting stance of trade unionism;⁴ and its relation to broader transformations in the shape of protest across the country.⁵

This recent body of work has shown convincingly the convergence of National Union of Mineworkers (NUM), state and corporate action against the striking rockdrillers.⁶ But how this state-union-corporate synergy that ultimately served to safeguard corporate interests as opposed to basic worker rights and welfare was achieved and validated remains an open question. Such a collaboration cannot be explained (or sustained) simply as an elite-pact to divide and defend the spoils of the mineral economy to the violent expense of its workers, as it often is. Rather, all such acts of violence in the suppression of dissent impeding the working of extractive capitalism require moral and ideological work of legitimization. The new authority of mining corporations, rehabilitated in the post-apartheid political economy, has required just such a set of new ideological tools, in order to garner political support and moral validation. For this CSR has proved indispensable: firstly in reshaping the terms of

³ P. Stewart, "'Kings of the Mine': Rock Drill Operators and the 2012 Strike Wave on South African Mines', *South African Review of Sociology* 44: 3(2013) pp. 42-63.

⁴ See for example, C. Chinguno, 'Marikana: Fragmentation, Precariousness, Strike Violence and Solidarity', *Review of African Political Economy* 40:138 (2013), pp. 639-646; Chaskalson this issue; K. Breckenbridge, 'Marikana and the Limits of Biopolitics: Themes in the Recent Scholarship of South Africa', *Africa* 84: 1 (2014), pp. 151-161.

⁵ P. Bond and S. Mottiar, 'Movements, Protests and a Massacre in South Africa', *Journal of Contemporary African Studies* 31: 2 (2013), p. 291.

⁶ See P. Alexander, 'Marikana, turning Point in South African History', *Review of African Political Economy* 40: 138 (2013), pp. 605-619; L. Sinwell with S. Mbatha, *The Spirit of Marikana: The Rise of Insurgent Trade Unionism in South Africa*, Haymarket (forthcoming).

worker welfare and social responsibility to make them amenable to corporate interests; and secondly by making possible new (and politically correct) alliances between civil society, labour unions and the government on which they depended.

The first section briefly charts the rise of CSR in relation to the cycle of booming profits and plummeting prices on the platinum belt. I explore how mining companies set the terms and parameters of CSR, capitalizing on the ‘moral’ currency of corporate-state-civil society collaboration and sustainability, such that CSR itself became a lucrative moral, political and even financial resource for mining companies. I contextualise Marikana against the ubiquitous discourse of CSR that pervaded the South African mining industry in the early 2000s, and to that of corporate austerity that came after on the heels of financial crisis. The result is a narrative of corporate responsibility that is compelling yet fickle, extended and withdrawn at will.

Thus, as the second section explores, CSR became effective at institutionalising a new kind of corporate moral authority in South Africa; lubricating the realignment of governance structures and worker organisation in the post-apartheid political economy. This furthered corporate interests while foreclosing channels for people to make claims of entitlement (whether to a fairer wage, better conditions or simply more security) from below. This has left workers with a double vulnerability, as their own weapons of collective action and claim-making have been delegitimised or corporatized within a new economy of self-empowerment and market morality. Paradoxically, I suggest, the kinds of social relations established through CSR in the first decade of the new millennium laid the foundation for the ensuing repression of labour from 2010.

Yet, as the second half of the article considers, it is not only at an ideological level that CSR has worked to marginalise counter claims. It has served materially as leverage for corporations to dispense with the social obligations that were assumed to be the natural

corollary to declarations of corporate responsibility. With its emphasis on individual self-actualisation and self-empowerment (a register mirrored in NUM discourse), CSR serves as a cost-effective way of claiming the moral capital of social guardianship while dispensing with core social costs of the industry and the costly paternalism of the classic company town.

In section four I examine how this form of ‘socially responsible’ corporate management works as a dual process of externalisation and co-option, or put more crudely, divide and rule. In providing a framework for incorporating certain carefully demarcated aspects of social responsibility within a logic of benevolence rather than entitlement, CSR serves as an exclusionary mechanism to externalise social obligation and marginalize dissent, *for a while*. Contingent on workers’ capacity to demonstrate entrepreneurial virtues necessary for self-empowerment and upward mobility, even within the rigid hierarchy of a formal workforce, the benefits delivered through CSR are unpredictable and uneven. Resting on myths of mobility, the discursive power of CSR to deflect expectation to the ever-receding horizon of aspiration, proffered a hope that was at odds with the material reality of most mineworkers, yet was daily stoked by the sense of boom and profit on the streets supposedly ‘paved with platinum’ prior to the onset of financial crisis in 2008. The ensuing abandonment was itself legitimised by recourse to the very same notion of self-empowerment. In the end, as Marikana shows, such techniques work to defer claims and expectations, rather than to address them, all the while generating new expectations through the very process of deferral.

Corporate Responsibility and Crisis: From Global Markets to Local Labour Struggles

In late 2004 when I started my research on the platinum belt, mining companies were enjoying an unprecedented rise in global metal prices. Between 2002 and 2008 the price of

platinum rose 350%.⁷ An article in the Financial Times reported: ‘Mining companies are generating so much cash at the moment due to high metals prices that it sometimes appears hard for them to know how to spend it’.⁸ At the centre of the platinum boom was South Africa’s Platinum Belt, the source of around half of the world’s platinum. The division of spoils beneath the ground has translated into an awkward social topography above ground, making the North West platinum corridor (Rustenburg, Marikana, Brits) a patchwork of industrial zones which under the domain of one of the five multinationals that mine the rich seams of the reef below. At the same time, the CSR movement was gaining ground daily, building momentum globally, and finding particular currency in South Africa as it incorporated the language of Black Economic Empowerment (BEE), promising emancipation and social improvement through business. In South Africa, multinational corporations, with the mining industry at their helm, were lining up (or competing) to commit their resources, their know-how and their creative energies to social goods. These ranged from empowerment through enterprise to the provision of antiretroviral drugs ‘free of charge’ to employees, promising to sweep away the vestiges of the authoritarian apartheid workplace and deliver dignity and empowerment for workers.

In recent years Lonmin (owner of the Marikana mine) has rebranded its CSR as sustainability, following a broader discursive shift across the extractive industries. As a key orthodoxy of millennial development, the concept of sustainability has demonstrated an apparent power to unite disparate parties with divergent interests behind a common goal (Rajak 2010). Rebranding of CSR as Sustainability thus aims to eschew the critique that CSR is merely Victorian industrial paternalism (and ad hoc philanthropic largesse) in new clothes, while positioning multinational corporations (MNCs) as architects of development

⁷ P. Bond and S. Mottiar, ‘Movements, Protests and a Massacre in South Africa’.

⁸ R. Bream, ‘Gold Fever Spurs Frenzy of Mining Acquisitions’. *Financial Times*, 31 August (2006), p. 31.

alongside governments, donor agencies and NGOs. The CSR agenda within the extractive industries has shifted seamlessly from discussions of mitigating the negative social and environmental impact of mining, to claiming actively to ‘create value’ for ‘all stakeholders’ (among whom workers are grouped alongside shareholders). But while the goals may be presented in lofty, abstract terms, the concrete interventions of CSR tend to be tightly delimited (usually within a small radius of actual operations) and firmly focused on a company’s so-called ‘human capital’. In contrast to the global claims of CSR discourse, the interventions that fall under the rubric of CSR in Lonmin and its cohort of mining giants have been re-engineered to reflect (and appropriate) the particular South African currency of development: economic empowerment through enterprise.

However when we take a closer look, Lonmin’s ‘Sustainability’ agenda reveals how CSR is often more reactive than proactive: a set of tools employed by companies in order to deal with particular social and political challenges. While not mentioned explicitly, Marikana now looms large in the subtext of Lonmin’s reframed sustainability agenda. Thus Lonmin cites ‘Employee Relations’ as the first priority of its sustainability strategy, under which, most telling of all, is the promise to ‘[rebuild] trust and [strengthen] the company’s relations with employees and their unions’.⁹ One of the few material investments the company points to as a concrete expression of responsibility to their workforce is ‘improving employee accommodation’.¹⁰ Yet upgrading hostel dormitories to single or family occupancy apartments has been a self-proclaimed (but unfulfilled) priority of CSR across the South Africa mining industry since the end of apartheid; it has been held up as a cornerstone of the corporate commitment to worker dignity and autonomy (a theme I will return to later).

⁹ www.lonmin.com

¹⁰ Ibid.

Alongside employee relations, Lonmin cites four further pillars of Sustainability. These relate both to their workforce ('employee health and safety') and beyond, as in the somewhat nebulous quest for what is known in the industry as 'the social licence to operate' from the 'Greater Rustenburg Lonmin Community'. Perhaps most revealing, is the fifth and final pillar of Lonmin's CSR agenda which, paralleling the strategy of rival Anglo, cites 'close collaboration between business and government' in itself as both an objective and outcome of CSR. Invoking the ideal of partnership (a mainstay of development discourse) enables companies to cast the kind of state-industry-union collaboration that many analysts cite as a key factor in facilitating the repression of worker dissent at Marikana as CSR, even where such partnerships paradoxically serve to disempower under the banner of collective responsibility for national development.

As it turns out, CSR offered much more to companies than something to spend their *own* money on. It proved equally lucrative for them, enabling mining companies to leverage international donor and public funds, demonstrating how CSR had become the new orthodoxy of development. In 2007 the International Finance Corporation (IFC) gave Lonmin \$5.9 million in technical assistance to upgrade worker housing and promote Black Economic Empowerment (BEE), both of which were legal prescriptions of the South African Mining Charter. A further \$100 million was made available in loans to invest in Lonmin BEE ventures¹¹. Meanwhile in 2013 Anglo Zimele, Anglo American's Black Economic Empowerment arm, received funding from the Development Bank of South Africa in order to support Anglo's own empowerment work. This empowerment work is chalked up as evidence of the company's contribution to 'give back' to the nation and show compliance with the BEE stipulations of the Mining Charter. Each of these cases represents the

¹¹ See A. Lichtenstein, 'What Went Wrong at Marikana', *Los Angeles Review of Books* September 1st 2012.

investment of public funds and technical assistance to cover core operational costs such as worker health and housing, which are nonetheless categorised as ‘externalities’ in CSR-speak. This foreshadows a critical tension between responsibility and externalization that runs through this article.

Just three years on from the peak of the mining supercycle in 2005 and the heyday of CSR, the picture looked very different. Anglo American, the country’s biggest mining company, announced a 69% decline in profits to \$1bn (£608m) for the first half of 2008¹². By the end of the year 11% of its global workforce would be retrenched in order to make up \$450 million costs.¹³ For companies chiefly focused on platinum such as Lonmin and Impala, the impact was equally severe. According to Mahommed Seedat, Director of Lonmin, the Lonmin share price dropped from a peak high of ‘R612 a share in 2004’, to a low of ‘R35.93 in 2014.’¹⁴ Given the bleak global economic forecast, Cynthia Carroll (then CEO of Anglo American) stated that the company could ill afford to tolerate rising labour costs:

In recent months we have seen intense pressure for pay increases that are economically simply not sustainable. In the platinum sector, that pressure has been placed on an industry that is already in crisis.... We will not shirk from taking the tough choices. For the sake of all our stakeholders, we have to create a business that is...the right size and shape to compete successfully in the global market.¹⁵

According to this managerial logic, responsibility for making up the drop in shareholder dividends (whether by accepting poor wages or a reduced workforce through mass

¹² See D. Smith, ‘Anglo American Sheds 15,000 Jobs as Profits are Hit by Falling Metals Prices’, *Guardian*, 31 July 2009.

¹³ J. Sparshott, ‘Anglo American to Slash Jobs’, *Wall Street Journal [online]*, 21 February 2009.

¹⁴ Testimony of Mahommed Seedat, Marikana Commission of Inquiry Transcript Day 289, 11th September 2014, p. 37712

¹⁵ Carroll quoted in M. Vanek, ‘The Four Truths SA Can’t Avoid – Cynthia Carroll’, *Moneyweb* 4th December 2012, <http://www.moneyweb.co.za/archive/the-four-truths-sa-cant-avoid-cynthia-carroll/>.

retrenchments) was devolved to workers, despite the fact that they did not share in the immense boons of platinum boomtime enjoyed by investors just a few years earlier.

A large proportion of the 19,000 retrenched Anglo employees were at Anglo Platinum, which was responsible for a fifth of all recession-linked formal sector job losses in South Africa.¹⁶ The country's other major platinum houses followed suit, amounting to tens of thousands of former employees at the platinum mines no longer eligible for company-sponsored benefits such as housing and healthcare offered as part of a company's core or sub-mural CSR to its workforce. In such a context of mass joblessness, 'those with jobs', as Gumede puts it, 'cling on to them, for fear they may never get one again'.¹⁷ Yet they are all the more vulnerable to the dictates of a volatile global market and the shibboleth of shareholder value invoked by corporate management as a rejoinder to workers' struggle for better conditions and a fairer wage.

This highlights the precariousness that has come to define having a job as well as joblessness.¹⁸ As many such as Gumede, have pointed out, this profound and chronic level of insecurity, though much longer in the making, was further entrenched in the wake of the global financial crisis. The direct correlation between crisis and wage-worker precarity in fact replicates the very discourse of Carroll and her cadre of mining executive managements. But the turn from boom to bust, from soaring profits to cutting costs, points to something further, beyond the vulnerability of the labour force to the ineluctable fluctuations of the global market. It speaks to the power of corporations to instrumentalise narratives of financial hardship and crisis to justify cuts of any order and foreclose worker agency (as Carroll's statement above exemplifies). In this vein South African business commentator Sipho

¹⁶ See D. Smith, 'Anglo American Sheds 15,000 Jobs as Profits are Hit by Falling Metals Prices'.

¹⁷ W. Gumede, 'Marikana is South Africa's Turning Point', *Gulf News* September 1 2012, <http://gulfnews.com/opinions/columnists/marikana-is-south-africa-s-turning-point-1.1>.

¹⁸ See F. Barchesi, *Precarious Liberation: Workers, the State and Contested Social Citizenship in Postapartheid South Africa* (Albany, SUNY Press, 2011).

Ngcobo rebukes Marikana's striking rockdrillers for their unrealistic expectations: 'this is not 1999, 2002, 2006 and 2008 when platinum was the most profitable business in the world', he writes, 'the good times are gone... The fact of the matter is platinum mines are not providing sufficient returns to satisfy shareholders, let alone double salaries overnight.... The workers and the trade unions (those who still have unions) would be well advised to hold on to their jobs'¹⁹. Ngcobo neglects that worker wages actually fell in real terms during the platinum boom of the early 2000s. This fact points to a key question: given the extreme disparity between profits and wages, how was worker disaffection repressed (and protest contained) for the decade prior to the economic crisis while platinum revenues soared but worker pay dropped?

In the wake of the global financial crisis, and even greater levels of economic disenfranchisement, companies have turned to the more repressive measures of old to meet the new challenges which have been nourished by the seductive yet fickle promise of CSR itself, but which the coercive benevolence of corporate responsibility can no longer contain. This highlights the performative dimension of control as a key concern not just for the state, as is commonly assumed, but for corporations. In demonstrating a company's capacity to contain and remove social and political challenges to extraction, the *performance* of governing the workforce (through whatever means necessary) is as imperative to its bottom line as the actual management of workers. At Marikana, state and corporate interests converged on this imperative to demonstrate to various publics (from national government in South Africa to London's money markets) that Lonmin were 'in control' by stemming the tide of 'the Impala contagion' as the strikes had been dubbed in Lonmin's corporate scenario planning.²⁰ This was evident in a recorded meeting between the Provincial Police

¹⁹ S. Ngcobo, 'The Economic Tragedy of Marikana', *Moneyweb* 17 September 2012 <http://www.moneyweb.co.za>.

²⁰ Marikana Commission of Inquiry Transcript Day 294, 5th November 2014, p. 38523.

Commissioner and Lonmin representatives (including Barnard Mokwena, Executive Vice-President for Human Capital and External Affairs) on the morning of the 16th August 2012:

SAPS Commissioner: ...tomorrow when we go there...and they did not surrender then it's blood... We need to act such that we kill this thing

Mr Mokwena: Immediately, yes. ...

SAPS Commissioner: 'Because you know we need to show our employees, all of them in balance, that we are still in control'.²¹

As the discussion between the police commissioner and Lonmin executives proceeds, the threat of possible nationalisation, corporate reputation and damage to shareholder confidence are invoked. As Paul Gilbert highlights in his study of mining finance and political risk, 'corporate reputation is less about veiling the violence of extraction and more about communicating to the City²² a company's ability to "get things done"' and ensure a continued "revenue stream for shareholders"²³. In this case, that means showing that the company can, at all costs, get its labour force back to work. This requires a demonstration of power – in which even the violence plays a performative role. In the hours that followed the Marikana massacre, financial risk analysts in the City of London busily churned out analysis of events, one which focused squarely on the question: what does the massacre of 34 mineworkers 'mean for Lonmin?'²⁴, and more specifically, for its nervous shareholders. Thus in its equity ratings forecast of 17th August (the day after the shooting), Panmure and Co (who go under the slogan 'integrity in investment banking since 1876') press the urgency for Lonmin to send a clear signal to investors that they can control their workforce (through

²¹ Transcript of Lonmin Briefing with South African Police Service Commission 14th August 2012, Exhibit JJJ-192, Marikana Commission of Inquiry, pp. 11-13.

²² Shorthand for London's share markets.

²³ P. Gilbert, "*Money Mines*": *An Ethnography of Frontiers, Capital and Extractive Industry in London and Bangladesh* (PhD Thesis, University of Sussex, 2015), p. 39.

²⁴ Panmure and Co., Equity Research Mining Flash 17th August 2012. Unpublished Document, p. 3.

dismissal rather than negotiation) and renew investor confidence in a continued stream of platinum and revenue in the future:

Given the extent of the violence...the possibility exists that the strike could extend across the rest of the Lonmin workforce and potentially the broader industry. For Lonmin that uncertainty is particularly dangerous as our forecasts suggest that in the event of a protracted strike the company could breach its debt covenant levels when they are tested at the end of September.²⁵

Within the capital markets of volatile investors, where perception translates into capital, the need to project a corporate image of stability, efficiency and confidence makes the performative aspects of corporate practice all-important, both in securing support and disciplining dissent. This performance of control and efficiency involves mining companies moving between the twin poles of violence and social responsibility.

Co-option and Corporatization

As highlighted earlier, studies of corporate power and state collusion in resource extraction tend to focus on the violent mechanisms employed in repressing worker resistance and local contestation. I suggest that this violence is connected to and enabled by its twin: the moral mechanisms of partnership, collaboration and social responsibility. As I have argued elsewhere,²⁶ CSR, with its immense capacity for claiming consensus while effecting co-option, has itself served as a novel tool of managerial control over the workforce and over the particular slice of social life in which extractive companies have an interest. Crucially, claims to corporate responsibility and corporate citizenship provide crucial discursive support and authentication to this project of alliance-building in the defence and advancement of elite

²⁵ Panmure and Co., Equity Research Mining Flash 17th August 2012.

²⁶ D. Rajak, *In Good Company*.

corporate and political interests. This essential role of CSR is acknowledged as much by corporate executives themselves as by their critics – as noted above, ‘collaboration with government’ is cited as the fifth pillar of Lonmin’s ‘Sustainability’ strategy. And, just as Anglo Platinum’s chief CSR officer described the function of CSR at the operational level as a ‘buffer between the company and the demands of the workers and community’, Paul Gilbert similarly recounts frontier mining investors in London referring to CSR ‘as your first line of defence against resource nationalist governments intent on expropriating assets’.²⁷ What connects these two quite different dimensions of corporate strategy and action is the malleability of CSR – the fact that it can be adapted and deployed in confronting various publics, and diverse challenges from worker demands for better conditions to political demands for sovereignty over a nation’s mineral wealth. CSR works to co-opt consent and build alliances between corporate agents, political elites, and even the representatives of labour.

A salient expression of this can be seen in the way South Africa’s mining giants have successfully forged a newly collaborative relationship with the NUM over the past decade. Across the mining industry, this corporate-NUM partnership has been projected as both a focus for and success of CSR – proclaiming a joint ethic of responsibility for workers in which, importantly, notions of worker welfare and solidarity have been replaced by those of worker autonomy, mobility and empowerment. This is not simply a change in terminology. It reflects a deeper transformation, demonstrating a surprising convergence of corporate and NUM ideology that has had material consequences for the ways in which workers are both supported and disciplined. ‘We’re teaming up with labour’ to tackle social problems, announces an Anglo Platinum billboard affixed to the 12-foot razor wire that encircles the

²⁷ P. Gilbert, “*Money Mines*”: *An Ethnography of Frontiers, Capital and Extractive Industry in London and Bangladesh*.

precious metals refinery in Rustenburg – a visual testament to the extent to which CSR has provided a platform for corporate-union partnership. This shift is spurred on by the exhortation to relinquish old-school combativeness in favour of collective commitment (and indeed sacrifice) to the national project of good growth. The normative effect of this discourse of national unity in good growth is powerful, enabling South Africa's largest corporations not only to claim a monopoly on economic patriotism but, as Marikana exemplified, to delegitimise claims that run counter to corporate interests. The NUM thus emerged as a 'bulwark... against disruptive conduct, grassroots extremism, and similar temptations to "ungovernability"'²⁸.

The focus of those concerns has been the growing discontent among the poorest paid section of the mining workforce, the rockdrillers. Once the NUM's traditional base, they are now cast in political and corporate discourse as the locus of militant unrest at the mines. Yet the profile of the Marikana strikers defies the dominant representation of Malema-supporting youth militancy as the source of civil unrest. The majority of the 3000 strikers on the mountain were migrant labourers mostly from the Eastern Cape, most were between 40 and 60; illiterate with little education; and presumed lacking in the marketable assets and skills to make them eligible for advancement to the category of 'miners'²⁹. Rockdrillers are the lowest in the mining industry's salary scale, a hierarchy known as the Paterson grade system introduced to the mines in the early 1970s. This grades jobs according to the purported degree of decision-making in each category, irrespective of the levels of skill, or the myriad incalculable yet critical decisions taken by underground mineworkers to navigate the inherent perils of the job (Stewart 2013). Rockdrillers do the most dangerous and uncomfortable work, often crouching or lying for hours with a heavy and volatile pneumatic drill balanced

²⁸ F. Barchiesi, *Precarious Liberation* p. 22.

²⁹ K. Breckenbridge, 'Revenge of the Commons: the crisis in the South African Mining Industry'. Paper delivered History Workshop Online 5/11/2012

against them. They are the ones literally at the platinum face, drilling into the unpredictable seams. They face the immediate threat of rock falls; the imminent risk of tuberculosis (extremely prevalent and perfectly incubated in the underground humidity); and the long-term likelihood of silicosis. Vusimuzi Mandla Mabuyakhulu, one of the Marikana mineworkers who testified at the Commission of Inquiry, recounted the work of a platinum RDO:

The kind of job that I do is called square. Square is one works at a very low kind of an opening. Working there, Mr Chairperson, one works in a position where you are always bending, one might be forced to work in that bending condition for up to eight hours. The machine that one uses has got to be balanced on the stomach....³⁰

Mabuyakhulu, who had been shot in the stomach during the Marikana shooting on 16th August, had since been declared 'fit for work' by the Lonmin medical team and ordered back underground, despite his concerns that he could no longer physically manage the job. In his testimony to the commission of enquiry Mabuyakhulu explained how, after years at the platinum face, he had 'made some effort to try and avoid having to go underground, including taking classes of adult based education and training' offered by the mining company for which he worked as part of their CSR benefits to employees. The deployment of CSR thus stands in stark contrast to the constant peril and exposure to ill health which defines the working life of miners.³¹

Deemed anachronisms, vestiges of the old South Africa who do not fit the storyline of the new South Africa, migrant mineworkers have been expunged from the hegemonic narrative of empowered entrepreneurial citizens pursuing the dream of upward mobility. They lay bare

³⁰ Testimony of Vusimuzi Mandla Mabuyakhulu, Marikana Commission of Inquiry Transcript Day 48, 14th February 2013, pp. 5297-8.

³¹ See TS. Phakathi, "'Getting on and Getting by" Underground: Gold Miners' Informal Working Practice of Making a Plan (Planisa).' *Journal of Organizational Ethnography*, 2: 2(2013), pp. 126-149.

the fraudulence of those convergent narratives of corporate citizenship and state citizenship which proffer enticing vistas of self-motivated, aspirant workers enjoying the freedom to sell their labour in a free market in the manner they choose and thereby advance up the professional hierarchy. Their disenfranchisement is reinforced by what Makhulu describes as ‘a continual renegotiation of possibility and powerlessness’,³² the former always receding on the horizon, as the latter is further entrenched.

Thus we see a broader ideological shift evident in NUM discourse and practice over the past five to ten years from a register of collective struggle and worker solidarity to the promotion of individual self-actualisation and economic empowerment aligned with the national corporate-sponsored discourse of patriotic capitalism. The promotion of an individualized ethic of self-empowerment has replaced what Moodie described as the ‘pastoral power’ once exercised by the union over workers.³³ This transformation in NUM ethos (and ideology) reflects a similar evolution in the register and exercise of corporate soft power by management at the mines, from an all-encompassing paternalism to the discourse of corporate-sponsored economic empowerment in which CSR is now framed. In both cases – the union and the mining company – the shift from a paternalistic duty of care to the promotion of worker self-empowerment works to externalise and individualise responsibility for worker welfare onto workers themselves.

This ideological shift is embodied in the elevation of NUM shop stewards to a new cadre of ‘brokers’. As Deborah James argues in relation to processes of land reform, the charismatic yet morally and politically ambivalent figure of the broker has emerged as a key player in the new economy of post-apartheid development in South Africa. At the interstices

³² A-M. Makhulu, ‘The Question of Freedom. Post Emancipation South Africa in a Neoliberal Age’ in C.J.Greenhouse ed. *Ethnographies of Neoliberalism* (Philadelphia, University of Pennsylvania Press, 2012, pp. 131-146, p. 137.

³³ D. Moodie, ‘Becoming a Social Movement Union: Cyril Ramaphosa and the National Union of Mineworkers’. *Transformation: Critical Perspectives on South Africa* 72/73 (2010), pp. 152-180, p. 172

of market, state and community, they parley their position into entrepreneurial success, at times delivering benefits to the economically marginalised, at others exploiting their marginality for their own advancement.³⁴ Shop stewards move from working the seams underground to working as full time shop stewards above ground, from the bottom of the Paterson pay scale, to a few rungs up the scale, earning up to three times as much as ordinary NUM members, while enjoying other benefits such as an office, car, petrol vouchers, mobile phone and top-up cards.³⁵ The advancement of shop stewards as a local elite within the labour force demonstrates that the new mode of brokerage observed by James is at work even within the formal regime of industrial labour. This brings with it material benefits and status, but also the disaffection of their former peers in the lowest ranks of the workforce. Here the classic role of the shop steward – negotiating with management on behalf of labour – has shifted not only to incorporate this new entrepreneurial dimension, but also to reflect their own elevation and the corresponding shift in their own interests.

Meanwhile, the NUM has turned its focus to a new programme of support and services for members, producing a distinctly South African version of bottom of the pyramid (BoP) financial innovation in the shape of its U-Bank. Previously known as TEBA Cash Financial Services (established in 1975 to provide basic savings services for mineworkers), in 2010 U-Bank became a fully capitalized retail bank. Controlled by the NUM's investment arm in partnership with the Chamber of Mines, with ambitions to increase its customer base of half a million mineworkers by expanding into the mass market, it offers an array of financial products from pay-day loans to small enterprise start-up loans. Nevertheless, in 2014 the U-bank CEO acknowledged that gold and platinum miners constitute 80% of its R1

³⁴ D. James, 'The return of the broker: consensus, hierarchy and choice in South Africa land reform', *Journal of the Royal Anthropological Institute* 17: 2 (2011), pp. 318-338.

³⁵ P. Alexander, 'Interview: South Africa after Marikana', *International Socialism* (2013), p.137.

billion portfolio of borrowers.³⁶ Part of the bank's appeal (aside from a geographical monopoly in many peri-mining areas) lies not in its relatively high interest rates and initiation fees, which many argue are perilously high for the low-wage mineworkers whom the bank targets³⁷, but in the enticing bundles of mobile phone airtime, shop vouchers and public transport discount cards which are rolled into the loans packages.³⁸

The compelling images of empowered South Africans projected in U-Bank advertising adopts an aesthetic of new South African citizenship, embodying the core virtues and values of upward mobility, youth and entrepreneurialism. This is an aesthetic which is utterly at odds with the grinding reality of life both underground and in the shacks of the squatter camps around the Marikana platinum mines, and which belies the extent to which the ubiquity of easy credit can create new vulnerabilities under the banner of empowerment. Indebtedness (and the impossibility of repayment) emerges from the accounts of platinum workers, as a defining element of the material deprivation that has become a normal and pervasive aspect of life on the platinum belt.³⁹ And it is this more mundane violence of debt and poverty, to which the migrant rockdrillers have long been subject, that found concrete physical expression in the killings at Marikana.⁴⁰ The loans on offer may be classified as 'small' but they are extremely costly to the debtors. Average interest rates on unsecured loans are 5% per *month* (ie. more than 70% interest annually), added to which is a service charge of R50 per month, a one-off initiation fee of 15% of the value of the loan, and collection fees for defaulters.⁴¹ While ostensibly the miners' bank, controlled partly by the NUM's own investment fund, U-bank levies the maximum possible interest rates and fees permitted by the

³⁶ See BC. Simelane and G. Nicolson, 'Ubank on it: The On-going spiral of Debt in Mining Communities', *The Daily Maverick* 21st January 2015.

³⁷ *Ibi*

³⁸ See M. Fisher-French, 'Teba Gives Birth to Ubank', *Mail and Guardian* 7 October 2010.

³⁹ See D. James and D. Rajak, 'Credit apartheid, migrants, mines and money'. *African Studies* 73: 3 (2014), pp. 455-476.

⁴⁰ See BC. Simelane and G. Nicolson, 'Ubank on it: The On-going spiral of Debt in Mining Communities'.

⁴¹ See L. Steyn, 'Marikana Miners in Debt Sinkhole', *Mail and Guardian* 7 September 2012.

National Credit Regulator (NCR).⁴² In 2015 Ubank came under investigation by the NCR for irresponsible lending to customers already in arrears with other lenders, so compounding their existing debt, as well as failing to disclose interest rates and fees to new customers. The rebranding (and explosion) of payday loan services, as BoP financial inclusion programmes provided by corporate banks seeking to capitalize on the poor and underpaid, is well documented⁴³. However what is most striking here is that one of the major micro-lenders servicing the mineworkers with credit should be a joint venture of the NUM and Chamber of Mines, seeking to capitalise on the profits of their own membership. This new turn in BoP financial innovation is then another expression of the ethos of alliance between unions and industry.

Divide and Rule

The last section explored how corporatization has become a vital tool for corporations in securing the collaboration of traditional structures of worker agency, namely the NUM. These processes of co-option are premised on the ideological power of an exclusive dream of upward mobility that remains elusive to the poorest mine workers. They serve to externalise responsibility for large sections of the workforce (as well as those who live in the vicinity of the mines but are not directly employed by them) while creating new forms of fragmentation and factionalism, divide and rule. The outcome is two mutually dependent yet seemingly antithetical dimensions of the janus-faced corporate form – the one asserting responsibility for worker care and welfare, in the same moment that the other externalises it.

⁴² Ibid.

⁴³ See A. Roy, *Poverty Capital: Microfinance and the Making of Development* (New York, Routledge, 2010); and P. Mader, *The Political Economy of Microfinance: Financializing Poverty* (London: Palgrave Macmillan, 2015).

Writing of labour on the Mombasa Docks, Fred Cooper described the capacity of capital to draw a stark divide between job and no job.⁴⁴ In the post-apartheid workplace that stark divide has become fragmented – riven by inequalities between skilled and unskilled worker, between old and young, and most significantly of all, between contractor and sub-contractor, which erode the basis of their collective action.⁴⁵ Excluded, to a large extent, from union representation (as a result both of the failure of the NUM to represent their interests and the fear of dismissal if they do join up), subcontracted workers find themselves to be doubly vulnerable as their interests are seen to be at odds with those of the permanent workforce (for whom the fear of being replaced by cheaper contractors acts as a constant corporate rejoinder to their struggle for better wages). What is more, in an age of CSR and public-private partnership, when increasing aspects of social welfare are being dispensed by non-state entities to specific constituencies through exclusionary processes of corporate care, it is not purely ‘capital’ that can be credited with creating such fragmentation and inequities.

The rise in CSR over the past twenty years, and its associated interventions in worker welfare, has paralleled the increasing reliance on sub-contracting in the industry since the early 1990s. And, as Chinguno points out, platinum mining uses more subcontractors than any other sector of the industry.⁴⁶ Once reserved primarily for ‘non-core’ work such as shaft-sinking, subcontractors now constitute more than a third of the workforce at most of the platinum mines. Thus in 2011 9,131 of Lonmin’s total workforce of 33,046 were full-time contractors.⁴⁷ Equally, while Anglo Platinum drastically reduced its use of subcontractors

⁴⁴ F. Cooper, *On the African Waterfront: Urban Disorder and Transformation of Work in Colonial Mombassa* (Newhaven, Yale University Press, 1987).

⁴⁵ See for example A. Bezuidenhout and S. Buhlungu, ‘From Compounded to Fragmented Labour: Mineworkers and the Demise of Compounds in South Africa.’ *Antipode* 43: 2 (2012), pp. 237-263.

⁴⁶ C. Chinguno, ‘Marikana: Fragmentation, Precariousness, Strike Violence and Solidarity’.

⁴⁷ Benchmarks Foundation. *Communities in the Platinum Minefields: A Review of Platinum Mining in the Bojanala District of the North West Province: A Participatory Action Research (PAR) Approach*. 2012 p. 72.

from 14,014 in 2009 to 5, 513 in 2012, this most likely reflected (and therefore veiled) mass retrenchments at the Anglo Platinum mines in the wake of the financial crisis in 2009-10.⁴⁸

Meanwhile, the benefits extended through the widening of corporate social responsibility projects have been concomitantly exclusive, reserved only for that shrinking portion of the workforce that companies claim as their own employees, and for which subcontractors are not eligible. Thus HIV wellness programmes, adult education, housing and even food, are not provided for the substantial portion of the workforce on most mines who are considered employees of a sub-contracting firm – even if they have worked at Anglo, Lonmin or Impala for years. This was brought into sharp relief with Lonmin’s rejection of claims made by Marikana widows for their husband’s pensions (usually paid to the wives of workers who die on the job). The company dismissed the claims on the grounds that, while their husbands worked on Lonmin’s mines, they were the responsibility of the third party broker that had contracted them; as Mrs Makopane Thelejane, one of the widows explained ‘the company claims he was not a permanent employee’ even though he had worked the Lonmin mines for years.

Alongside this displacement of corporate *obligation*, comes an assertion of corporate social *responsibility* and the promise to fund ‘the education of all the children of employees who lost their lives... from primary school through to university’. This offer is framed as an act of compassionate benevolence and generosity – the corporate gift – within the logic of CSR rather than compensation or duty (as was the company’s offer to bury the dead mineworkers). This was reiterated in Lonmin’s presentation to the Commission:

Lonmin resolved that the best and most enduring contribution it could make would be to provide its deceased employees’ dependent children with an education. Consequently it established a memorial

⁴⁸ Benchmarks Foundation, p. 45.

trust fund to fund their school and tertiary education.... Lonmin undertook a needs analysis at schools ... in order to establish if the children had what they needed. During those visits it was established that the children needed additional toiletries, books and stationary... Lonmin immediately provided these items, as well as laptops, scanners and printers... The costs of these *ad hoc* education related expenses was just over R143 000.⁴⁹

Here we begin to see how CSR acts as strategic resource for corporations, looking to deal (or dispense) with specific challenges, demands and claims. Within the framework of CSR, responsibility is claimed by Lonmin, yet obligation is deflected and claims to entitlement forestalled. Thus a contradictory set of practices emerge. Lonmin asserts a paternalistic sense of social guardianship premised on an ethic (as opposed to a duty) of *voluntary* care over the ‘dependent children’ of their ‘deceased employees’. At the same time, Lonmin denied that these very same deceased mineworkers were in fact their employees in order to dismiss any obligation to pay compensation to their widows (as in the case of Mrs Thelejane).

Aside from paying for the funerals of the deceased, and the ad hoc subventions of the new educational trust, no restitution, pensions or support have been made to the families by Lonmin, the NUM or the state. Evidently outsourcing contracts to labour brokers has provided mining companies with a mechanism for outsourcing (or externalising) social responsibility, while glossing their arrangements with black-owned labour-broking firms as evidence of their social commitment to black economic empowerment⁵⁰. Once again this enables them to claim social responsibility in the very moment (and by same means) that they displace it.

⁴⁹ Marikana Commission of Inquiry Transcript Day 292, 16th September 2014, pp 38220-38222.

⁵⁰ A. Bezuidenhout, cited in R. Chaskalson this issue.

Responsibility and Externalization

On the first day of the Marikana Commission, the names of the deceased were read out. Judge Farlam asked their families to stand up. No one stood up. Most were over 1000km away in the labour sending areas of the Eastern Cape with no resources to travel to the inquiry. Adjournments requested by AMCU's lawyers until the families could be brought to the inquiry were challenged by Lonmin and NUM lawyers and rejected by the judge. The underlying assumption was that mineworkers' families, having not been present during the strike, and living far from the workplace, would have nothing to contribute to the inquiry.

This reveals a striking continuity with the apartheid minescape (both geographically and socially) – a myopic industry gaze which divorced the human capital of the workforce from the delicate tissue of social relations, domestic lives and family in which migrant miners are embedded. This abstraction was determined by and sustained the political economy of migrancy on which the industry has depended for over a century. This way of 'seeing' the workforce as bounded within a delimited zone of responsibility that corresponds with the physical space of the workplace has been replicated in union discourse. As Ramphela points out, the dominant categorisation of mineworkers as 'migrant labourers' has delineated 'legitimate shop-floor issues' from 'non-trade union ones'⁵¹ so as to make it difficult for unions to campaign on issues related to workers' home-life. The geographic distance between labour sending areas and mines has facilitated this century-long denial of the social world of migrant mineworkers beyond the hostel and the mine that continues to be excised from the picture.

Yet it is not simply geographical distance that has enabled the mining industry to displace its social responsibilities and costs onto poor rural households. Those families who

⁵¹ M. Ramphela, *A Bed Called Home: Life in the Migrant Labour Hostels of Cape Town*. (Athens, Ohio University Press, 1993), pp. 3-4.

live right outside the mine's perimeter fence are equally (if not more) excluded from the vision of mine management. This was summed up most poignantly by the AMCU lawyer: 'We went to get these families from a thousand kilometres away, but nobody has ever mentioned what has happened to these *second* families'⁵².

At its most basic level, the reality that is expunged from this corporate vision is that of migrancy, embodied in the figure of the rockdriller. Within this meta-narrative of denial, the material reality of migrant life continues to be externalised from the framework of CSR. The reality (largely unacknowledged by the mines' housing services) is that for a miner supporting a family in the Eastern Cape, KwaZulu-Natal or Lesotho, the living-out allowance (roughly R1000-1800) is barely enough to rent a shack in the settlements near work. Barnard Mokwena, Executive Vice-President for Human Capital and External Affairs at Lonmin, acknowledged this during his testimony to the Marikana Commission:

Mr Ntseneza SC: And would you agree with me if, as you know, at the time they were earning anything between R4,000 to R5,000 a month. That would be very, very little in terms of earnings for them to accommodate everything that an ordinary family should accommodate. It's difficult out of that amount to feed, to clothe, and to educate a family. Isn't that right?

Mr Mokwena: That is correct, and Chair, actually I have a brother who retired as an RDO from Impala three years ago, so I know exactly what it means.⁵³

Lonmin acknowledges that at least half of those who live on the fringes of its mines (within a 15km radius) live in informal settlements⁵⁴. This is especially the case in the greater Rustenburg area where the platinum boom of the early 2000s drew large numbers of people

⁵² Interview with AMCU lawyer conducted 7th January 2013.

⁵³ Testimony of Barnard Mokwena, Marikana Commission of Inquiry Transcript Day 291, 15th September 2014, p.38036.

⁵⁴ Lonmin Plc, Published letter to the Benchmarks Foundation in response to the Benchmarks Foundation Report (*Communities in the Platinum Minefields*). 29th November 2012, p. 4.

to the mines in search of work, creating a substantial shortage of low-cost housing, alongside massive inflation in the property market of over 100%. An estimated 42% of all residents of the Rustenburg Local Municipality inhabit informal dwellings (most in one of the municipality's 38 officially recognized informal settlements), almost three times the national average of 15%.⁵⁵ As Prosper Masinge, NUM shop steward at the platinum mines explained: 'If you live outside the hostels you get the living out allowance – which means you cannot afford to live anywhere but the informal settlements. But rent for a room in there is only R250. It's not a choice, either the shack or the hostel'. While mining executives stress that the living out allowance demonstrates a new ethic of progressive mine management, replacing the authoritarian paternalism of the compound with a corporate commitment to the autonomy of employees, the allowance can itself be viewed as an act of externalisation. Anglo American's former Chairman Sir Mark Moody Smith emphasised that the company was no longer in the business of regulating the social (and moral) lives of their employees; it no longer aimed, as he put it, 'to build a Bourneville... stepping too far into people's lives'¹. Yet this rejection of paternalism equally enables companies to dispense with social responsibilities to their workforce at the very moment they are asserting them. As another NUM shop steward put it:

In the past the mine would supply a concrete "bed" and meals. Workers could send home to the rural areas most of their pay.... [Now] on our small wages we have to pay for our own beds and meals. Many workers now have two families here and back home.⁵⁶

⁵⁵ Rustenburg Local Municipality. Draft Rustenburg Local Municipality Local Economic Development Strategy 2011, p. 35.

⁵⁶ Quoted in S. Mapaila, 'A Marikana Story that isn't Being Told', *Umsebenzi Online* South African Community Party, <http://www.sacp.org.za/main.php?ID=3736#one>. Accessed on 7th September 2012.

In the aftermath of the Marikana massacre and the following two years of strikes, President Zuma once again highlighted the responsibility of mining companies to provide affordable family housing in place of single-sex hostels: ‘companies are expected to convert or upgrade hostels into family units, and also facilitate home ownership options for mine workers ... we urge the companies to meet the 2014 deadline for these targets and extend this right to dignity to mine workers.’ In recent years corporations have reiterated their commitment to facilitating ‘settled labour’, a term coined over half a century ago. In 1948 mining houses protested the government’s limit on settled labour at the mines of no more than 3%; yet failed to provide even this tiny fraction in the ensuing 50 years. Heeding or pre-empting Zuma’s call, Anglo Platinum launched a low-cost home ownership scheme to support lower ranking employees on smaller wages to buy houses. Such corporate-sponsored schemes echo the rhetoric and imagery of upwardly mobile financial citizens empowered by access to credit (or in this case low-cost mortgages) touted by the NUM’s Ubank. Here again, the assertion of CSR serves to reinforce the process of externalisation rather than reverse it, as the costs of providing and building housing for workers are displaced onto workers themselves. The provision of mortgages means that, should such a scheme take off, Anglo Platinum would recoup more in interest paid on mortgages over a long period of time than it cost them to build the housing, prompting the question, ‘does this represent an investment by Anglo Platinum in the community, or is it a community investment in Anglo Platinum?’⁵⁷ Paradoxically this enables the company to externalise social responsibility (and attendant costs) under the banner of corporate-sponsored empowerment, in a manner that may well enhance rather than reduce the precarity of workers.

A similar scheme is being devised by Lonmin, laid out by one of its directors (Mohammed Seedat) in his testimony to the Marikana Commission. He spoke about a

⁵⁷ Benchmarks Foundation, p. 54.

corporate-sponsored South African dream of aspiration, autonomy and mobility which belies the withdrawal of actual investment in housing by Lonmin itself:

Lonmin was still going to provide the land, free of charge...and the employee gets a bit of a leg up in being able to see their dream come true of owning a house.... And yes we wanted the arrangements to be arms-length so that between the employee and the developer the contractual arrangement would exist. What Lonmin was prepared to offer is to be able to do the deductions for the home loan or the rental out of its salary system... But that's as far as Lonmin could go.⁵⁸

Thus we see a familiar pattern of claiming CSR while deflecting obligation in Lonmin's failure to meet its obligations to upgrade worker housing, from hostel dormitories to family or single apartments as stipulated in the national Mining Charter. This emerged as a subject of contention during the testimony and cross-examination of Lonmin senior personnel in the course of the Inquiry. Hostel upgrading was one of the areas of workforce welfare outsourced to Cyril Ramaphosa's company Shanduka Resources and held up as evidence of its commitment to BEE partnerships. Meanwhile, in his other role as Non-Executive Director of Lonmin itself, Ramaphosa was Chair of the Transformation Committee responsible for 'all the transformation activities of the company' from 'worker housing' to 'employment equity' and more broadly, 'the mining labour plan'.⁵⁹ This plan included building 5,500 family houses and converting 124 hostel blocks into family or single person apartment accommodation by 2011:

Mr Ngcukaitobi SC: 'Out of this target set in 2006 to build 5,500 houses, only three houses were actually built'

Chairperson: 'Did you know that Mr Ramaphosa?'⁶⁰.

⁵⁸ Testimony of Mahommed Seedat, Marikana Commission of Inquiry Transcript Day 289, 11th September 2014, pp. 37728-37729.

⁵⁹ Rampahosa Testimony, Marikana Commission of Inquiry Transcript Day 271, 11th August 2014, p. 34406.

⁶⁰ Rampahosa Testimony, pp. 34496-7.

According to Ramaphosa, ‘the target... could not be met... in view of the global impact the company was subjected to’.⁶¹ However, a report by a third party into Lonmin’s post-crisis financials, entered into evidence, noted that:

The primary justification for its non-compliance with its housing obligations was the constraints of the economic climate after the financial crisis, but Lonmin started defaulting on its housing obligations before the financial crisis and throughout the period in which it was defaulting on its housing obligations, it’s continuing paying dividends to its shareholders.⁶²

In mobilizing the language of financial and legal accountability with the terms ‘obligation’ and ‘defaulting’ to describe Lonmin’s failure to fulfil its commitments to housebuilding and hostel upgrading, the report provides a notable counterpoint to the register of corporate *responsibility* and care favoured by companies. For the framework of CSR forestalls this form of legal accounting on their social promises (and claims to entitlement that attempt to make good on them) precisely through recourse to the notion of responsibility in place of obligation.

Importantly, Lonmin’s recourse here is not simply to invoke the imperatives of the financial crisis, but, once again, to couple this narrative of financial hardship with the invocation of a broader assertion of corporate responsibility which overrides the specific government stipulations of the Mining Charter, as was exemplified in Seedat’s testimony. On the one hand Seedat stressed that ‘the financial position of Lonmin was so precarious... in 2009... our minds were totally preoccupied with making Lonmin survive. No time to really think about anything else’.⁶³ On the other he framed the decision taken by the company to invest millions of reserve cash into shaft redevelopment to reach richer seams of ore as an act

⁶¹ Rampahosa Testimony, p. 34406.

⁶² Marikana Commission of Inquiry Transcript Day 289, 11th September 2014, pp. 37716-37717).

⁶³ Testimony of Mahommed Seedat, pp. 37711, 37723.

of corporate responsibility in itself, driven by a commitment to grow the workforce which, on his account, overshadows the imperative to make the current living conditions of workers liveable. Once again the provision of decent housing for migrant workers is framed as a ‘good thing’, an act of benevolence as opposed to a core employer obligation:

So there is circa R9 billion of capital sitting there, cannot be used and we can’t finish the shaft because we don’t have enough cash available to finish the shaft. And it may not sound politically correct to say this but if I have a choice between putting money in housing or hostel conversion, I would say rather put that into finishing the shaft because if you finish the shaft, K4 has the potential of employing a further 10,000 people, generating lots of cash which then puts you in a position to do the kind of good things like converting hostels and building houses.⁶⁴

Marikana reminds us how perilous this new social/moral contract (if it can even be called that) is, as one premised on a form of corporate patronage that is simultaneously coercive and fickle – it can be extended or withdrawn at will. This was captured in the most visceral way in the ongoing period of strikes that paralysed the industry following Marikana. In late May 2014, in the second year of strikes, in a bid to get rockdrillers back to work, Anglo American closed the hostel kitchens where a great many miners, even those who do not live in the hostels, survive on one meal a day. This single act brought into sharp focus the violence of corporate responsibility as an instrument of benevolent tyranny (or tyrannical benevolence?) that enables companies to give and withhold benefits as techniques of control used in undermining worker agency. The backdrop to Marikana and its aftermath have reaffirmed that CSR has the peculiar capacity to dehumanize even as it claims an ethic of care. This form of corporate welfare turns humans into human capital, a productive resource to be nurtured, controlled or repressed through the provision or withholding of even the most

⁶⁴ Testimony of Mahommed Seedat, p. 37714.

basic welfare and social goods, in this case food.

Conclusion: Expectations of Paternalism

The platinum protests brought together subcontractors, rockdrillers and squatters alike in ways that defy corporate processes of control and co-option, divide and rule chronicled in this article. They created new solidarities in collective demands for protection and security. Such petitions for a renewal of corporate paternalism may seem anachronistic—recalling in part the Thompsonian moral economy of the English peasantry seeking protection from their overlords against the ravages of the market⁶⁵. But as the only recourse left for claim-making from below, these expectations of paternalism reveal change as much as continuity in both corporate techniques of governance at South African’s mining territories, and responses to those techniques. For, while the practices of CSR reinvigorate century-old forms of patronage and clientelism both on and around the mines, they are now more exclusionary and more contingent than the total and comprehensive paternalism once so characteristic of the Southern African minescape.⁶⁶ Meanwhile, the logic of CSR – framed either as business opportunity or an act of compassion – obviates the very notion of worker entitlement, and corresponding corporate obligation.

As Ferguson makes clear, such “declarations of dependence”—which in this case look to the self-styled corporate sponsors of welfare and empowerment rather than the state—should be seen as an activist mode of claim-making, rather than a ‘retrograde yearning for paternalism’.⁶⁷ After all, if corporations such as Anglo are to be taken seriously in *their*

⁶⁵ E.P. Thompson, *Customs in Common: Studies in Traditional Popular Culture*, (New York: The New Press, 1991).

⁶⁶ See P. Carstens, *In the Company of Diamonds: De Beers, Kleinsee and the Control of a Town* (Athens, Ohio University Press, 2001); D. Moodie, *Going for Gold: Men, Mines and Migration* (Berkeley, University of California Press, 1994).

⁶⁷ J. Ferguson, ‘Declarations of Dependence: Labour, Personhood, and Welfare in Southern Africa’, *Journal of the Royal Anthropological Institute* 19, 2 (2013), p. 223.

declarations of corporate social responsibility, it stands to reason that workers (as well as those who live tantalizingly close to the benefits extended through CSR) must try to compel companies to make good on their promise to take care of them, by whatever means they can.

If we look back to the early 2000s, one overlooked element in the rise of CSR (and particularly its enthusiastic uptake by South Africa's mining giants) was that it offered companies a framework with which to transform core costs into externalities (such as worker health, housing and BEE), and re-render social obligations as apparently voluntary acts of beneficence and mutuality. Having divested themselves of core welfare responsibilities in the name of progressive management and an end to paternalism, the dispensation of CSR could be withdrawn at will in subsequent 'lean' years, citing the imperative of cost-cutting. This left beneficiaries triply vulnerable, for the discourse of CSR had been effective at softly disarming the instruments of worker mobilization through collaboration (or co-option), while diverting (or delegitimising) claim-making through a promise of mutual interest in good growth.

Three weeks after the Marikana killings, the ANC released a statement placing the blame squarely on AMCU. 'Agitating workers and giving them false promises is dangerous', the statement warned⁶⁸. And yet, the intensity of disenfranchisement and disaffection that reached its apogee at Marikana, and in the three years since, must be seen as the product of a quite different false promise. The precarious hope of 'inclusive capitalism' offers a poor antidote for exposure to corporate efforts to relentlessly drive down costs in order to increase profits. As Chinguno writes, 'the mining industry, as it has always done, plays such an important role in assigning economic winners and losers, creating vast concentrations of wealth and institutionalised systems of exploitation'⁶⁹. If winners in contemporary capitalism

⁶⁸ ANC, 'ANC Alliance Statement on the Situation at the Lonmin Marikana Platinum Mines' 7th September 2012. <http://www.cosatu.org/za/show.php?ID=6487>.

⁶⁹ C. Chinguno, 'Marikana: Fragmentation, Precariousness, Strike Violence and Solidarity', p. 640.

are defined by their capacity to claim benefits from those with the power or resources to deliver them (in this case a mining company), then the odds are certainly stacked against South Africa's rockdrillers. Presumed lacking in marketable assets, skills or simply potential, they are further marginalised from the exclusionary processes of empowerment.

For the paradox and the power of CSR lies in the fact that it expounds a doctrine of self-empowerment, demanding that beneficiaries demonstrate their will and capacity to 'help themselves', while at the same time, rejecting any form of 'claim-making' on the part of potential beneficiaries and any corresponding obligation on the part of the company.

Marikana brings home more strongly than ever before how precarious are paradigms of responsibility which invoke 'empowerment' in place of entitlement and eschew rights in favour of the fickle promise of emancipation through the market and the enlightened self-interest of big business.
